

<p style="text-align: center;">STATE OF VERMONT</p> <p style="text-align: center;">AGENCY OF HUMAN SERVICES</p> <p style="text-align: center;">DEPARTMENT OF</p> <p style="text-align: center;">CORRECTIONS</p>	<p style="text-align: center;"><u><b>INTERIM MEMO:</b></u></p> <p style="text-align: center;">#306.01 Incapacitated Persons</p>	<p style="text-align: center;"><b>Page 1 of 1</b></p>						
<p><b>Approved:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black; text-align: center;"><b>SIGNED</b></td> <td style="width: 33%; border-bottom: 1px solid black; text-align: center;"><b>02/01/2021</b></td> <td style="width: 33%; border-bottom: 1px solid black; text-align: center;"><b>02/01/2021</b></td> </tr> <tr> <td style="text-align: center;"><b>James W. Baker, Commissioner</b></td> <td style="text-align: center;"><b>Date Signed</b></td> <td style="text-align: center;"><b>Date Effective</b></td> </tr> </table>			<b>SIGNED</b>	<b>02/01/2021</b>	<b>02/01/2021</b>	<b>James W. Baker, Commissioner</b>	<b>Date Signed</b>	<b>Date Effective</b>
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**AUTHORITY**

18 V.S.A. §4810(d).

**POLICY**

The Department of Corrections (DOC) hereby updates Directive #306.01 through this Interim Memo by invalidating section 4.b.ii..

Section 4.b.ii., reading as follows, is no longer valid:

**4. Discharge**

- b. The timing of release for incapacitated persons includes the following criteria, whichever comes first:
- i. A determination is made that the individual is no longer incapacitated (see Definitions), or
  - ~~ii. The arrival at the facility of a person who will assume responsibility for the individual, or~~
  - iii. The passage of 24 hours.

Therefore, DOC staff are no longer authorized to release an incapacitated person upon the arrival at the facility of a person who will assume responsibility for that individual.